

**United States District Court
Southern District of New York**

Tina R Alien 215979803

Plaintiff

V.

Case No: 2020_____

Department of Homeland Security

Immigration and Customs Enforcement

Immigration and Naturalization Service

Department of Justice

Defendant

Comes now the plaintiff, **Tina R Alien 215979803**, acting on her own behalf, hereby moves this honorable Court, to enter an order to provide: 1.) injunctive relief, 2.) damages, and 3.) judicial intervention, in the following matter.

Plaintiff offers the following statements as support for her request. And swears that the statements are true and correct to the best of her recollection.

Parties

1. **Tina R Alien 215-979-8003**, Plaintiff, *pro se litigant*, resides in New York, New York. And is Defendant in the matter **INS/Department of Homeland Security v. Tina R Seals 215-979-8003**, Executive Office for Immigration Review, 26 Federal Plaza, New York, New York 10278.
2. The Defendant(s) represent the interest of the US Government, operating from the Executive Office for Immigration Review, 26 Federal Plaza, New York New, York 10278.

Jurisdiction

3. This court has subject matter jurisdiction pursuant to **28 U.S.C 1331** which provides District Court with jurisdiction over civil actions arising under the United States Constitution or laws of the United States.

4. This court possesses *In Personam* Jurisdiction over both the Plaintiff and the Defendant(s) in this case.
5. Venue is appropriate in this matter pursuant to **28 U.S.C. Section 1391b** because the events giving rise to the allegations of this complaint occurred in this District.

Factual Allegations

6. On **December 31st, 2019**, the Department of Homeland Security, in conjunction with the Honorable O'Shea Spencer, Immigration Judge, terminated the Plaintiff's Immigration case "without prejudice".
7. When the Plaintiff, **Tina R. Alien 215-979-803**, showed up for court, on **December 16th, 2019, at 2 p.m.** Eastern Standard Time, she was advised that her case had been terminated, by The Honorable O'Shea Spencer, Immigration Judge, at 26 Federal Plaza, New York New York, 10278, on **December 31st, 2019**. But the judge had unlawfully failed to enter a deportation order. Resulting in the plaintiff lacking status in the US. And not having a deportation order.

Which is a crime. Because it gives the false impression that the plaintiff refuses to document.

8. Plaintiff believes that one of the reasons the Department of Homeland Security, in conjunction with the Immigration Court, terminated her case, was so that they could kill her off radar. As no one would be looking for her, if she didn't have a valid deportation order. Because she can't work and she can't house. Or educate. So she has no way to demonstrate continuous stay in the US. Other than through the the Immigration Deportation clock.

9. When the Plaintiff asked about the termination of her case, she was provided with the Order from the Immigration Judge, dated **December 27th 2019**, which is the filing date with Immigration Court, New York. And the document was said to be served on **October 9th 2019.**, by Adam An t r e a s s i a n, of the Department of Homeland Security. (see exhibits for more information).

10. Which all, demonstrate, invalid process and procedural errors, due to date inconsistencies.

11. **Further USCIS issued her Alien Number 215-979-803, on an August 2018 Newark Asylum Application. She was fraudulently issued the Alien Number issued to Kierra Alexander in 2015, after caught in possession of her travel document.**

12. This action by the Department of Homeland Security, and the Immigration judge, has prevented the plaintiff from gaining lawful employment in the United States. And securing housing since the unlawful termination of her case.

13. All attempts on the part of the Plaintiff, to communicate with the Immigration Court, the Immigration Judge, the Department of Homeland Security, have been futile. As the Department of Homeland Security Lawyers, and the Immigration Court, continuously refuse to interact with the plaintiff.

14. In response to the actions of the Department of Homeland Security, and the immigration judge, the plaintiff filed a **Motion to Reopen**, in July of 2020. The motion was transferred, to the Board of Immigration Appeals. And it was denied **November 12th, 2020**.

15. **Because of this unconscionable, egregious act of Malfeasance, and Legal Malpractice, on part of the Defendants, the Plaintiff is forced to reside in the United States with no Immigration Benefit, or Status. And no Deportation Order.**

Causes of Action

Count 1: Denial Of Inspection

16. The Department of Homeland Security, in conjunction with the Immigration Court, acted unconscionably, and irresponsibly violating **Title 8 U.S. Code § 1225, (a)(1) aliens as candidates for inspection.**

An alien present in the United States who has not been admitted or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters) shall be deemed for purposes of this chapter an applicant for admission.

17. Refusing to allow **Plaintiff, Tina R. Alien 215-979-8803**, to inspect, by terminating her case, without her knowledge, on December 30th 201, was a denial of her right to inspect.

Sidebar 1 with Judge: (regarding the perceived motive of the Defendants) While it is not fair or wise for me to speculate, I do believe that this particular behavior of the Defendants, is motivated out of their own need for a mask for themselves and Camille hoard and her family. But it is not my responsibility to provide a mask for these individuals if they are working here from another country whether it be Ukraine, Russia, former Soviet Union, Germany, Asia, or anywhere else, their government has a legal responsibility to provide them with a profile. If they are enemy combatants, it is not

my responsibility to serve as an enemy combatant mask or cover for homegrown terrorists.

Count 2: No Subpoena Issued

18. Said Defendants also failed to properly subpoena the Plaintiff in conjunction with Rules of Civil and Criminal Procedure, **12 U.S. Code § 4641.Subpoena Authority (a) (3), (c)(1,2)**. As a result Plaintiff was directly denied, deprived of equity, and remedy under the law. As it is the responsibility of the immigration judge to throw out any case, in which a Defendant, has not been properly served.

Sidebar 2 with Judge: (regarding the perceived motive of the Defendants) While it is not fair or wise for me to speculate, I do believe that this particular behavior of the Defendants, clearly demonstrate *men's rea* to commit injury against the United States, at my expense.

And every time I assert this claim, or my right to privacy with regard to my immigration matters, these individuals make comments

regarding putting me in ice detention centers so that I can die by electrocution in or by freezing to death.

I should not have to die because I want a deportation order. That's the law.

And I should not have to die because I'm an immigrant. Seeing that I'm attempting to inspect.

And I should not have to die because I desire to leave the US.

And while I don't believe that this is the motive of the United States, per se, I do realize it's a great possibility, if these individuals are working in immigration. Certainly they can make it a possibility. After all they rape and sexually assaulted me daily. Even placing dog stool filled with aids infested semen, and the stool of dead aids patients, in my anus. And they have branded me the "Community Coffee".

Which is why Honorable Judge, you can certainly understand why I would like a Deportation Order. And a clear paper trail regarding my interaction with the Department of Homeland Security.

Count 3: Civil Rights Violations

19. Said Defendants also violated the Plaintiff's right to enjoy Due Process and Equal Protection of Law. Therefore depriving her of the ability to secure equity, and remedy, under the Due Process Clause of the United States Constitution.

20. Further, **The Fifth Amendment states:**

No one shall be "deprived of life, liberty, or property without due process of law."

Sidebar 3 with Judge: (regarding the perceived motive of the Defendants) while it is not fair or wise for me to speculate, I do believe that this particular behavior of the Defendants, is out of anger, and frustration, that they could not control my willingness to inspect with the Department of Homeland Security. And, because they don't believe that a human trafficking victim, or an immigrant, deserves a

right to due process and equal protection of law. Maybe they believe that because I am of Indian nationality, that I am a second-class individual.

Count 4:Gross Malfeasance

21.The Department of Homeland Security, in conjunction with the Immigration Court, acted unconscionably, and irresponsibly violating **Title 8 U.S. Code § 1225, (a)(1)(2)(3) Aliens as candidates for inspection.**

22. (2)Stowaways

"An arriving alien who is a stowaway is not eligible to apply for admission or to be admitted and shall be ordered removed upon inspection by an immigration officer. "

Plaintiff believes the reason the defendants terminated her case, without prejudice, is because there were several individuals, who were stowaways on her alien number. Without her consent, and or knowledge. Who were required to post bond, had been in

Immigration detention, or who had bad FBI fingerprints, and could not inspect on their own. So they needed unlawful entry, as stowaways.

The problem is the unlawful termination of the Plaintiffs case, on or around December 30th 2019, which left the plaintiff without options for securing status in the US.

And all of her attempts to reopen her case, to secure status, have been unlawfully denied by both the court and USCIS.

This material fact came to light after the plaintiff filed a motion to reopen, in the southern district of New York, in and around July of 2019. Because she had difficulty with a motion to reopen that she filed prior, being processed. **After her second deportation from the United States.**

Plaintiff filed a Motion to Reopen in July of 2019 to petition the Immigration Court for Voluntary Departure. And for an I-131 Travel Document.

The Department of Homeland Security, and the Immigration Court, failed to respond to the Plaintiff's Motion to Reopen.

And when asked about the motion, the assistant to Honorable Immigration Judge O'Shea Spencer, (William), denied ever having seen the motion in the Plaintiff's file, or on the Judges desk.

The Department of Homeland Security also denied having seen the motion. Despite the fact that the motion was sent from the post office in 26 Federal Plaza, New York New York 10278 via certified mail. It was clear that the motion had been received by the defendants, because when the plaintiff would show up to the Immigration Court, to speak to DHS Representatives, or Court Representatives, she would be threatened by security personnel, and by Court personnel.

One Court representative, a security guard, who is relative to the Trump Administration, sought to deny her access to the court, skating, *"What is your purpose for going to the court? We are not*

playing this game with you today! I know what you want, you want to be deported! ?"

Plaintiff politely informed the security officer that he was out of bounds, for asking her whether she wanted to be deported or not. Involving himself in an official national security matter.

At the time, plaintiff was frustrated, because she did not have knowledge, that many of the relatives to Trump, or other Trump Administration officials, we're back-linked, to her personal immigration case, alien number. Or we're stowaways on her number. Which would in essence, unlawfully provide a mask for all of the relatives, and Associates, for the Trump Administration. Including the following individuals: *Camille Hoard, Kelly Gibson Gonzales, Michelle McClurkin, Kiera Alexander, Alex Moore, Jackson Doe, George William of Cambridge, and others who Plaintiff is not familiar with by name.*

Sidebar 4 with Judge: *(regarding the perceived motive of the Defendants) while it is not fair or wise for me to speculate, I do*

believe that this particular behavior of the Defendants, was completely unconscionable. I do have a right to privacy. And they would have had a nervous breakdown if someone had used their personal immigration account to backlink other individuals.

I have dealings with immigration from other countries, bounty hunters, and US immigration, because of all of the individuals who backlinked on my case. Who were permitted to enter the US without inspection, when the judge terminated the case. And who have failed to interact with the Department of Homeland Security and Ice on their own personal alien numbers, so it's resulting in them receiving Ice under my alien number.

Count 5: Negligence

23. The actors in agents, of the Department of Homeland Security, in conjunction with those of the Immigration Court, acted unconscionably demonstrating gross negligence, and malfeasance, in the following matter violating **Title 19 U.S. Code § 1592 (a)(1)(B). Consistently they failed to exercise their constitutional**

duty, to uphold the Constitution, as actors in agents for the state department.

They did this by:

- 24. Refusing to inspect all aliens who were back-linked to the plaintiff individual immigration case. Knowing full well that each individual alien should have possessed their own alien number. And should have received some level of inspection at a point of entry, when they entered the United States.**
- 25. Failed to determine which of the back-linked aliens, were inadmissible to the US, in accordance with Title 8 U.S. Code § 1182 - Inadmissible Aliens**
- 26. Failed to acknowledge, that Plaintiff possessed three prior deportations from the US. Two on the current alien number. before terminating her case**
- 27. Failed to acknowledge that US was plaintiff's third safe country.**

Count 6: Mail Fraud

28. The actors and agents of the Department of Homeland Security, in conjunction with the actors and agents of the Immigration Court, acted unconscionably violating Title 18 U.S. Code § 1342 Mail Fraud, intercepting the Plaintiff's mail from the General Delivery, mail box, and rerouting it, to several New York shelters, that housed back-linked Immigrants, who were awaiting inspection either Deportation or inspection by Department of Homeland Security, or immigrations and Customs Enforcement.
29. So no matter how many times the plaintiff changed her address in Immigration Court, actors in agents working at the court or for the Department of Homeland Security, would change the address back, to reflect the address of the stowaways.
30. Also, actors in agents for the Department of Homeland Security, and the Immigration Court, committed egregious errors, in listing twice removed alien, **Plaintiff Alien 215-979-8003 as POTUS** of the United States of America. Which is in direct violation of the US

Constitution. As no undocumented alien has a lawful right to serve as in the Executive Office of President.

Count 7: Terrorism

31. The Department of Homeland Security and the Immigration Court, their actors and agents, violated, Title 8 U.S. Code § 1189 (a)(1)(a)(b)(c) - contributing to the security of actors and agents who possessed *men's rea* to commit acts of Terror against the United States.
32. Stating that twice removed alien, **Plaintiff Alien 215-979-8003** was POTUS of the United States of America. Which is in direct violation of the US Constitution. As no undocumented alien has a lawful right to serve as in the Executive Office of President.
33. It was noted by many in the Department of Homeland Security, that Joseph B Alexander Esquire, was responsible, for many of the alterations, to the legal documents filed by the Plaintiff.

34. It was also noted, that Joseph B Alexander, Esquire and his family, were responsible for derailing the Plaintiff's individual immigration case. By linking many of his friends, and international associates, to her alien number. So that when her case was terminated by his sister, Honorable Judge O'Shea Spencer, these individuals would not have to inspect before the Department of Homeland Security. They would simply enter the United States, through name recognition, on the back of the Plaintiff's alien number. Because the Plaintiff was fully inspected by the Department of Homeland Security, and had clean fingerprints.

35. Plaintiff fingerprints as a alien to the United States.

36. Due to this egregious, malfeasance, and negligent act, by the actors in agents of the Department of Homeland Security, Joseph Alexander Esquire, and the Immigration Court, the plaintiff now: 1. lacks time on her immigration clock, 2. Lacks a deportation order. 3. And lacks status in the United States.

37. Which has prevented her from working and housing herself since December 2019.

38. It has also created a harassment, and domestic violence issue for the Plaintiff. Because all of the individuals backlink on the plaintiffs case, who were also denied opportunity to secure status, with the Department of Homeland Security, have been sexually assaulting, sodomizing, raping the plaintiff. Have used her personal credit. Social security number, and identity to travel in and out of Mexico and other countries. Have without subpoena, made reference to her being there relative in the US. To gain lawful advantage in the Immigration Court and with the Department of Homeland Security.

39. And many of the individuals who have done these things, have entered from the texas-mexico border. And are members of the inm Mexico terrorist organization Hamas.

40. And as a direct result of the **INM Mexico Hamas** connection, Seal security, has sexually assaulted, and sodomized, the Plaintiff with their lead detective, a bounty German shepherd dog. Who is very hostile and aggressive toward the Plaintiff. And who Seal security uses to stalk the plaintiff.

Relief

41. Plaintiff ask that the court in conjunction with Title 18 U.S. Code § 2520. Recovery of civil damages, award the plaintiff the following relief:

- a. \$20 Million US Dollars
- b. A restraining order against all of the defendants actors and agents who used the Department of Homeland Security and the Immigration Court punitively, and unlawfully against the plaintiff., while she in the course of her personal responsibility, on her single individual immigration case,, sought to obey the law, and inspect with the Department of Homeland Security. To further secure her person, and her ability to prosper, in the United States.
- c. Criminal penalties and referrals for all of the actors in Agents from the Department of Homeland Security, and Eoir, the

backlinking aliens, lawyer Joseph B Alexander, and the Immigration Court security, and personnel.

Conclusion

IN CONCLUSION, Plaintiff asked that the Southern District of New York Order in her favor and:

- 1.) Enter an Order criminalizing the actions of the Defendants, their actors and agents, of the Immigration Court, and the Department of Homeland Security
- 2.) Award \$20 million in damages to the **Plaintiff, Tina R. Alien 215979803**
- 3.) And restrain all of the back linkers, actors, agents for the Department of Homeland Security and the Immigration Court, barring them from permanent contact with the plaintiff.
- 4.) Require the Department of Homeland Security and Immigration Court to issue a new deportation order for the Plaintiff.
- 5.) And require all back-linkers, to her individual Immigration case, to inspect on their own alien number.

Respectfully submitted.

Dated: December 25th 2020

Tina R. Alien 215-979-8034

Pro Se Petitioner

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Electronic Signature

/s/ Tina R. Alien 215-979-803